IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 2472 of 2005

Between:

Smt.Meherunnisa, W/o.Late Mr.Mohd, Ahmed,
R/o.H.No.2-3-510/44, Owaisi Nagar, Amberpet, Hyderabad.

..... PETITIONER

AND

1. Andhra Pradesh State Road Transport Corporation,

represented by its Managing Director, office at R.T.C. Road,
Musheerabad, Hyderabad.
2. The Regional Manager, APSRTC, Medak Division,

Sanga Reddy, Medak District.
3. The Depot Manager, APSRTC, Sangareddy, Medak District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ more particularly a *Writ of Mandamus* declaring the inaction of the respondents in respect of non-settlement of pensionery benefits of the petitioner's late husband, such as gratuity and provident fund and not considering her case for compassionate appointment on the suitable post is illegal void and ultra vires in the interest of justice and equity.

Counsel for the Petitioner: MR.A.M.QURESHI

Counsel for the Respondents: MR.V.T.M.PRASAD

The Court at the admission stage made the following:

ORDER:

For declaring the inaction of the respondents in respect of non-settlement of pensionery benefits of the petitioner's late husband such as Gratuity and Provident Fund and in not considering her case for compassionate appointment on suitable post, as illegal and arbitrary, the present writ petition is filed.

2 . The petitioner's husband died on 18.11.2004 while he was in service. According to the petitioner, she is the only wife of late Mr. Mohd. Ahmed, and therefore she is entitled for all terminal benefits of her husband due from the respondent Corporation. But the respondents have not taken any action in this regard.

3. It is stated that even the respondents refused to pay the pensionery benefits of the husband of the petitioner. It is for the respondents to take appropriate decision whether the petitioner is entitled for all terminal benefits of late Mr. Mohd. Ahmed in accordance with rules and regulations of the corporation and nominations etc.

Therefore, without going into the merits of the case, it would be appropriate to dispose of the writ petition with a direction to the petitioner to submit a fresh representation to the respondents seeking all terminal benefits, within a period of two weeks and the respondents shall receive the same and take appropriate decision in accordance with rules and regulations of the Corporation, within a period of one month, after receipt of the representation from the petitioner.

With the above direction, the writ petition is disposed of. No costs.

_____

(K.C. BHANU, J)

Date: 15.02.2005

Ksn

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Managing Director, Andhra Pradesh State Road Transport Corporation,

Office at R.T.C. Road, Musheerabad, Hyderabad.
2. The Regional Manager, APSRTC, Medak Division,

Sanga Reddy, Medak District.
3. The Depot Manager, APSRTC, Sangareddy, Medak District.

4. 2 CD copies

5. 1 CC to MR.QURESHI

*Form-NIC-OGS/WP{**JA**}*